

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Re: D.I. 11, 60

**CERTIFICATION OF COUNSEL REGARDING “FINAL ORDER
(A) APPROVING THE DEBTORS’ PROPOSED FORM OF ADEQUATE ASSURANCE
OF PAYMENT TO UTILITY PROVIDERS, (B) ESTABLISHING PROCEDURES FOR
RESOLVING OBJECTIONS BY UTILITY PROVIDERS, (C) PROHIBITING UTILITY
PROVIDERS FROM ALTERING, REFUSING, OR DISCONTINUING UTILITY
SERVICES, AND (D) GRANTING OTHER RELATED RELIEF”**

The undersigned hereby certifies as follows:

1. On June 27, 2023, the debtors and debtors in possession in the above-captioned cases (collectively, the “**Debtors**”), filed the *Debtors’ Motion for Entry of Interim and Final Orders (A) Approving the Debtors’ Proposed Form of Adequate Assurance of Payment to Utility Providers, (B) Establishing Procedures for Resolving Objections by Utility Providers, (C) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Services, and (D) Granting Other Related Relief* [D.I. 11] (the “**Motion**”) with the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801 (the “**Bankruptcy Court**”).

2. Following an initial hearing to consider the Motion, on June 28, 2023, the Bankruptcy Court entered the *Interim Order (A) Approving the Debtors’ Proposed Form of*

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

*Adequate Assurance of Payment to Utility Providers, (B) Establishing Procedures for Resolving Objections by Utility Providers, (C) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Services, and (D) Granting Other Related Relief [D.I. 60] (the “**Interim Order**”).*

3. Pursuant to the *Notice of Entry of “Interim Order (A) Approving the Debtors’ Proposed Form of Adequate Assurance of Payment to Utility Providers, (B) Establishing Procedures for Resolving Objections by Utility Providers, (C) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Services, and (D) Granting Other Related Relief” and Final Hearing Thereon*, dated June 28, 2023 [D.I. 69] (the “**Notice of Entry of Interim Order**”), responses to the final relief requested in connection with the Motion were to be filed no later than 4:00 p.m. (Eastern Daylight Time) on July 20, 2023 (the “**Objection Deadline**”²). A hearing to consider the final relief requested in connection with the Motion is currently scheduled to take place before the Bankruptcy Court on July 27, 2023 starting at 9:30 a.m. (Eastern Daylight Time).

4. Subsequent to filing the Motion and entry of the Interim Order, the Debtors determined it necessary to make a revision to the form of final order in connection with the Motion. In that regard, the Debtors have prepared a revised form of final order (the “**Revised Final Order**”) in connection with the Motion. A copy of the Revised Final Order is attached hereto as **Exhibit A**. A redline, comparing the Revised Final Order against the form of order originally filed along with the Motion is attached hereto as **Exhibit B**.

5. The Debtors have not received any responses or objections in connection with the

² The Debtors agreed to extend the Objection Deadline for the Official Committee of Unsecured Creditors (the “**Creditors’ Committee**”) only until 11:00 a.m. (Eastern Daylight Time) on July 24, 2023. The Creditors’ Committee did not file an objection to the final relief requested in connection with the Motion by the Objection Deadline, as extended for it.

final relief requested in connection with the Motion, nor do any objections thereto appear on the Bankruptcy Court's docket in the Debtors' chapter 11 cases.

6. The Revised Final Order has been circulated to (i) the Debtors; (ii) the U.S. Trustee; and (iii) proposed counsel to the Creditors' Committee, and each of the parties to whom the Revised Final Order was circulated has indicated that it has no objection to the entry of the Revised Final Order.

7. The Debtors therefore respectfully request that the Bankruptcy Court enter the Revised Final Order, substantially in the form attached hereto as **Exhibit A**, at its earliest convenience.

[Remainder of page intentionally left blank.]

Dated: July 25, 2023

Respectfully submitted,

/s/ Jason M. Madron

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